

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-619 (BAH)
	:	
ERIK HERRERA,	:	
	:	
Defendant.	:	

**GOVERNMENT’S SECOND SUPPLEMENTAL NOTICE OF FILING OF EXHIBITS
PURSUANT TO LOCAL CRIMINAL RULE 49 AND STANDING ORDER 21-28**

The United States hereby gives notice, pursuant to Local Criminal Rule 49 and Standing Order 21-28, of the following exhibits provided to the Court and counsel to be used by the government in the sentencing in this matter.

The following video and photographic evidence available to the Court electronically:

Exhibit Number	File Name	Source	Description
1	Exhibit 1.pdf	Defendant Erik Herrera’s Instagram Account	Photograph of restricted perimeter and “Area Closed” sign at Peace Circle
2	Exhibit 2.mp4	Defendant Erik Herrera	Video recording showing multiple rioters battling police officers in hand-to-hand combat.
3	Exhibit 3.pdf	Open Source	Defendant Erik Herrera on the construction scaffolding on the Capitol grounds.
4	Exhibit 4.pdf	Open Source	Defendant Erik Herrera moving up the stairs at the Senate Fire Door.
5	Exhibit 5.asf	CCTV	Video from Capitol camera showing Defendant Herrera and others entering the Captiol.
6	Exhibit 6.wmv	Video	Video showing damage to the Senate Parliamentarian’s Office.

7	Exhibit 7.pdf	Defendant Erik Herrera's Instagram Account	Defendant Herrera in the Senate Parliamentarian's Office holding a stack of papers.
8	Exhibit 8.pdf	CCTV	Still shot from CCTV showing Defendant Herrera leaving with a stolen bottle of alcohol.
9	Exhibit 9.pdf	CCTV	Still shot from CCTV showing Defendant Herrera reentering the Capitol at the Senate Wing Door.
10	Exhibit 10.pdf	Image taken by another person.	Still shot showing Defendant Herrera smoking marijuana in a Senator's office.
11	Exhibit 11.pdf	CCTV	Still shot from CCTV showing Defendant Herrera leaving the Capitol at the Memorial Door.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On this 27th day of December, 2022, a copy of the foregoing was served on counsel of record for the defendant via the Court's Electronic Filing System.

/s/Jacqueline Schesnol

Jacqueline Schesnol

Assistant United States Attorney